

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

NASDAQ, INC.; NASDAQ ISE, LLC;
AND FTEN, INC.;

Plaintiff,

v.

MIAMI INTERNATIONAL HOLDINGS,
INC., et al.,

Defendant.

Civil Action 3:17-cv-06664-BRM-DEA

Hon. Brian R. Martinotti, U.S.D.J.
Hon. Douglas E. Arpert, U.S.M.J.

**DECLARATION OF LISA A. CHIARINI, ESQ. IN FURTHER SUPPORT
OF MIAX’S MOTION TO DISMISS COMPLAINT**

I, Lisa A. Chiarini, under penalty of perjury, declare as follows:

1. I am a member of the Bar of the State of New Jersey and admitted to practice before this court. I am a partner at the firm of Reed Smith LLP, co-counsel for Miami International Holdings, Inc., Miami International Securities Exchange, LLC and MIAX PEARL, LLC (collectively, “MIAX”) in the above-captioned action. I make this Declaration in further support of Defendant MIAX’s Motion to Dismiss Plaintiffs’ Complaint.

2. Attached as Exhibit A to this declaration is a true and correct copy of the Final Written Decision issued by the Patent Trial & Appeal Board of the U.S. Patent & Trademark Office in the matter *IBG LLC v. Trading Techs. Int’l, Inc.*,

CBM2016-00090 (December 7, 2017).

Dated: January 29, 2018

/s/ Lisa A. Chiarini
Lisa A. Chiarini